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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 26 2007

Applicant: Agrafiotis et al. Att'y Docket: 30923-720.831 (PRD2388USPCT)
Serial No.: 10/519,638 Art Unit: 1631
Filed: August 5, 2005 Examiner: Shubo Zhou
For: Conformation Sampling By Confirmation No.: 9139
Self-Organization

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Office Action mailed March 8, 2007, setting a 31-day period for response. A petition including the fee for a one-month extension of time accompanies this response. If the enclosed payment is insufficient or any other fees are due for the filing of this response, please charge such required fees to Deposit Account No. 10-0750.

Claims 1-12 are pending.

In the outstanding Office Action, the Examiner set forth an election-of-species requirement directing Applicants to elect one of the following species: (A) embodiments of the invention wherein the set of constraints includes a set of distance constraints, as exemplified by claim 2; or (B) embodiments of the invention wherein the set of constraints includes a set of volume constraints, as exemplified by claim 3. Applicants hereby elect species (A), wherein the set of constraints includes a set of distance constraints. All

claims read on the elected species (considering that claim 3 does not exclude embodiments wherein the set of constraints also includes a set of distance constraints).

Furthermore, the Examiner set forth an election-of-species requirement directing Applicants to elect one of the following species: (C) embodiments of the invention wherein the set of atoms includes at least one real atom, as exemplified by claim 6; or (D) embodiments of the invention wherein the set of atoms includes at least one abstracted atom, as exemplified by claim 7. Applicants hereby elect species (C), wherein the set of atoms includes at least one real atom. All claims read on the elected species (considering that claim 7 does not exclude embodiments wherein the set of atoms also includes at least one real atom).

Additionally, the Examiner required Applicants to elect one of the following species: (E) embodiments of the invention wherein the subset of atoms is chosen at random, as exemplified by claim 8; or (F) embodiments of the invention wherein the subset of atoms is chosen with a probability that depends on whether the at least one associated constraint is a distance or volume constraint, as exemplified by claim 9. Applicants hereby elect species (E), wherein the subset of atoms is chosen at random. Claims 1-8 and 10-12 read on the elected species.


The above elections are with traverse insofar as the Examiner has failed to set forth any evidence establishing that examining all species together would entail an undue burden. The Examiner provided a bare assertion, with respect to each of the three requirements, that searching both species would involve different search fields and thus would not be coextensive. This assertion, however, was not supported by citations of different search classifications. Moreover, it is improper for the USPTO to refuse to

examine that which Applicants regard as their invention, unless the subject matter in a claim lacks unity of invention. See M.P.E.P. § 803.02.

In view of the foregoing, Applicant respectfully requests prompt action on the merits of the entire scope of the claims.

Respectfully submitted,

Date: April 26, 2007


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